

## OFFICE OF THE CHIEF OF POLICE

**NOTICE**  
11.2

September 8, 2022

**TO:** All Sworn Personnel

**FROM:** Chief of Police

**SUBJECT:** ENFORCEMENT GUIDELINES FOR LOS ANGELES MUNICIPAL CODE SECTION 56.15.3 – PROHIBITION ON REPAIRS, SALES, AND STORAGE OF BICYCLES AND BICYCLE PARTS ON PUBLIC PROPERTY

The purpose of this Notice is to provide instructions to Department personnel regarding the enforcement of Los Angeles Municipal Code (LAMC) Section 56.15.3, a new City ordinance prohibiting repairs, sales, and storage of bicycles and bicycle parts on public property, effective August 8, 2022.

### **Background**

On June 21, 2022, the Los Angeles City Council enacted LAMC Section 56.15.3 which prohibits the assembly, disassembly, sale, offer to sell, distribution, offer of distribution, or storage of specified bicycles and bicycle parts on public property.

The ordinance was established to promote the public health, welfare, and safety of its residents by prohibiting the proliferation of open-air bicycle “chop shops” and bicycle theft by authorizing specific enforcement regulations to confront illegal activities and restore passageways for pedestrians in the public right-of-way.

### **Los Angeles Municipal Code Section 56.15.3(a)**

The following definitions apply to this section:

1. **Bicycle:** *A transportation device with two or more wheels, equipped with handlebars, forks, cranks, pedals, and one or more seats, that is propelled either exclusively by human power or with assistance from a motor.*
2. **Bicycle Part:** *Handlebars, wheels, forks, pedals, cranks, seats, or chains.*
3. **Person:** *A natural person, individual, group, business, business trust, company, corporation, joint venture, joint stock company, partnership, entity, association, club or organization composed of two or more individuals (or the manager, lessee, agent, servant, officer, or employee of any of them).*
4. **Public Property:** *Any public right-of-way, street, sidewalk, alley, parkway, public passageway, beach, park, or other public property owned or managed by the City.*

### **Los Angeles Municipal Code Section 56.15.3(b)**

No person shall assemble, disassemble, sell, offer to sell, distribute, offer to distribute, or store the following items on Public Property within the City:

1. Five or more Bicycle Parts;
2. A Bicycle frame with the gear cables or brake cables cut;
3. Two or more Bicycles with missing Bicycle Parts; or,
4. Three or more Bicycles.

**Note:** The section does not apply to an individual with a valid City business license or permit authorizing such activities or to anyone who is repairing a single Bicycle which malfunctioned or was damaged while the person rode on Public Property (and the repair is to restore the Bicycle to its operational condition).

### **Enforcement Protocols**

When an officer observes and confirms that an individual(s) is in violation of LAMC Section 56.15.3(b), and establishes contact with the individual(s) regarding this violation, the officer shall:

1. Educate the individual(s) by describing what constitutes a violation of Section 56.15.3;
2. Attempt to obtain voluntary compliance when practicable and use discretion and good judgment based on the totality of the circumstances, in the enforcement of LAMC Section 56.15.3; and,
3. Use the following options when enforcement action is necessary:
  - Issue an Administrative Citation Enforcement (ACE) citation, Form 05.40.00;

**Note:** When investigating or issuing an ACE citation, officers should attempt to obtain physical identification from the individual by requesting permanent state, federal, or foreign consulate identification, or if the individual possesses no physical identification, by a verbal representation. Where probable cause exists that an individual has falsely represented or identified him or herself as another individual, or as a fictitious individual during a lawful detention, appropriate criminal enforcement is still permissible pursuant to Penal Code Section 148.9(a).

The individual's failure or refusal to sign the ACE will not affect the validity of the citation and subsequent proceeding. If an individual refuses to sign the ACE, the officer will write "Refused" in the signature box. If the individual's copy is not available, due to the officer issuing the citation to the individual prior to obtaining a signature, the officer will write "Unavailable" in the signature box.

- Non-Traffic Release from Custody (RFC), Form 05.40.00; or,

**Note:** To assist the Department in categorizing an RFC arrest when the arrestee is a person experiencing homelessness and/or the incident occurred in a transit-related location (either bus or rail), the following Modus Operandi (MO) codes can be used:

- H – Homeless only;
  - C – Homeless and Bus;
  - T – Homeless and Rail;
  - B – Bus only; and,
  - R – Rail only.
- Custodial arrest for LAMC Section 56.15.3(b), in accordance with Penal Code Section 853.6.

**Note:** Include all digital evidence relevant to support the elements of the crime (i.e., Body Worn Video (BWV), photographs, video, etc.), or book the prohibited items consistent with current Department policy on booking evidence.

### **Evidentiary Guidelines**

Officers shall use the following evidentiary guidelines when enforcing LAMC Section 56.15.3:

- The investigation must identify that the individual had five or more bicycle parts with: a bike frame with the gear cables or brake cables cut, two or more bicycles with missing bicycle parts, or three or more bicycles;
- Include a description of how the individual was assembling, disassembling, selling, offering to sell, distributing, offering to distribute, or storing the bicycle(s) or bicycle parts on public property;
- Include any photographs and/or BWV from the date of the incident, any prior contacts, photos of the individual(s), the area obstructing the public-right-of-way, the specified bicycles, and the bicycle parts;
- Include any relevant statements made by the individual during the investigation or during any prior incidents or outreach efforts; and,
- Officers have the discretion to photograph, use BWV, or impound the prohibited specified bicycle(s) and bicycle parts as evidence.

### **Procedures for Impounding Bicycle(s) and Bicycle Parts**

Property taken from an individual which has, or may have, evidentiary value must be booked as Evidence.

A Receipt for Property Taken into Custody, Form 10.10.00, must be issued to the individual at the time that any property is removed from his/her person or control.

When circumstances make the immediate completion of the Form 10.10.00 impractical, it must be issued as soon as possible after the property is taken into Department custody.

Officers seizing evidentiary items must book all evidence in accordance with current Department policy.

**Note:** To handle large seizures of bicycle(s) and bicycle parts, items can be booked into evidence as “like items.”

For example:

Item No.	Qty	Article	Serial No.	Brand	Model No.	Misc.
1	15	Wheels				Various bicycle wheels
2	25	Bicycle Seats				Various colors and sizes
3	50	Bicycle Frame Only				Various colors, sizes, and conditions
4	1	Bicycle	45215764	Schwinn		Red color, boys bike, 10-speeds
5	1	Bicycle	986522123HF	Huffy		Black color, girls bike, 1-speed
6	1	Bicycle Frame Only	4545679ABC	Lyft		Electronic bicycle

**Body Worn Video**

Department personnel are reminded that BWV cameras shall be activated prior to the initiation of any investigative or enforcement activity with a member of the public. Accordingly, officers shall record the contact, bicycle(s), bicycle parts, public property, warning, and enforcement of the provisions outlined in this Notice.

If you have questions regarding this matter, please contact the Evaluation and Administration Unit, Office of Operations, at (213) 486-6050.



MICHEL R. MOORE  
Chief of Police

DISTRIBUTION “A”